IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO.202 OF 2005

Nitin Haridas Kantaria. ... Applicant.

Versus.

Kabnyu Manilal Thakkar. ... Respondent.

Shri Filji Frederick for the Applicant.

Ms.M.H.Mhatre, A.P.P.for the Respondent-State.

CORAM : ABHAY S. OKA, J.

DATED : 6th Sept., 2005.

P.C.:

1. Heard the learned Advocate appearing for the Applicant. The order impugned has been passed by the learned trial Judge on an application made by the Applicant. Even if the Application made by the Applicant is treated as one under section 66 of the Indian Evidence Act, 1872, the same was misconceived and rightly rejected by the trial Court. Under section 66 of the Indian Evidence Act, the Court has no power to pass order directing the rival party to produce documents in its custody. There is no merit in the Revision Application and the same is rejected.

2. All contentions on merits are kept open.

Judge.